

ASSEMBLY BILL

No. 769

Introduced by Assembly Member Jones-Sawyer

February 25, 2015

An act to amend Section 19635 of the Government Code, relating to public employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 769, as introduced, Jones-Sawyer. State employees: disciplinary action.

The State Civil Service Act requires notice of any adverse action against any state employee for any cause for discipline based on any civil service law to be served within 3 years after the cause for discipline, upon which the notice is based, first arose. That act provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within 3 years after the discovery of the fraud, embezzlement, or falsification.

This bill, except with respect to adverse action based on fraud, embezzlement, or the falsification of records, would require that the notice be served and any investigation completed within one year after the cause for discipline arose.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19635 of the Government Code is
2 amended to read:

1 19635. (a) ~~No~~*Except as provided in subdivision (b), an*
2 adverse action shall *not* be valid against any state employee for
3 any cause for discipline based on any civil service law of this state,
4 unless notice of the adverse action is served ~~within three years~~
5 ~~after the cause for discipline, upon which the notice is based, first~~
6 *and any investigation is completed within one year after the cause*
7 *for discipline arose.*
8 ~~Adverse~~
9 (b) *Adverse* action based on fraud, embezzlement, or the
10 falsification of records shall be ~~valid~~, *valid* if notice of the adverse
11 action is served within three years after the discovery of the fraud,
12 embezzlement, or falsification.